



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Keith W. Zary, Ph.D.

Application No. 10/848,733

Filed: May 18, 2004

Confirmation No. 8078

For: FLORIBUNDA ROSE PLANT NAMED  
'JACARQUE'

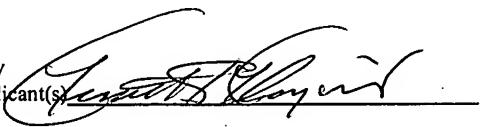
Examiner: June Hwu

Art Unit: 1661

Attorney Reference No. 2747-67101-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney \_\_\_\_\_  
for Applicant(s) Date Mailed March 21, 2005

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TRANSMITTAL LETTER

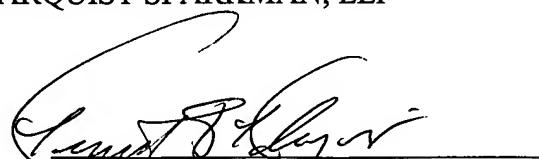
Enclosed is an Amendment for the above application.

- No additional fee is required.
- Please charge any additional fees that may be required in connection with filing this amendment and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- If the Patent and Trademark Office determines that this amendment results in an additional application size fee for pages in excess of 100, please charge the fee to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

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Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By 

Kenneth S. Klarquist  
Registration No. 16,445



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**RESPONSE TO NON-COMPLIANT OFFICE ACTION**

This responds to the Office action dated February 22, 2005. There is submitted herewith a substitute specification incorporating the plant specifics requested by the Examiner in place of the original specification cancellation of which is hereby authorized. The substitute specification includes no new matter.

If the Examiner desires any additional information, she is invited to call the undersigned.

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